

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
v.	§	CRIMINAL ACTION NO. 6:06cr27
SIMON RICARTE BALDERAS, JR., ET AL.	§	

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE AND ORDER OF
DISMISSAL

The [Report and Recommendation](#) of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of the remaining ancillary forfeiture proceeding, has been presented for consideration. The [Report and Recommendation](#) recommends that the Government's Motion to Dismiss Government's Criminal Forfeiture Claim and Petition Claiming Superior Interest in Property Subject to Forfeiture Order ([document #1111](#)) be granted.¹ No written objections have been filed to the Report and Recommendation. Therefore, the findings and conclusions of the Magistrate Judge are hereby adopted as those of the Court.

In light of the foregoing, it is

ORDERED that the Government's Motion to Dismiss Government's Criminal Forfeiture Claim and Petition Claiming Superior Interest in Property Subject to Forfeiture Order ([document #1111](#)) is **GRANTED**. The Petition Claiming Superior Interest in Property Subject to Preliminary Forfeiture Order filed by Gina Balderas and Simon Balderas, Sr. ([document #667](#)) and the

¹The Petition of Glenda Thomas and Sally Whittenberger and the Petition of Juanita Gamez were previously dismissed by [Order](#) issued on October 18, 2007.

Government's Criminal Forfeiture Claim as to property described as: 1206 N. Bois D'Arc, Tyler, Texas, 75702, map #C17, Grid #I-16.1, Abst/Sub #187400, Lot/Tract: #LT00022, Block: BL 04080 and 1210 N. Bois D'Arc, Tyler, Texas, 75702, map #C17, Grid #I-16.1, Abst/Sub #187400, Lot/Tract: #LT00028, Block: BL 04080, as described in a [Preliminary Order of Forfeiture](#) entered on January 11, 2007, are **DISMISSED**.

So ORDERED and SIGNED this 31st day of January, 2008.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE